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French Trawler in Collision.

Run down by steamer and later struck government craft. The French trawler Beluga figured in two collisions off Lloyd's Cove near North Sydney, C. B., yesterday, as the result of which the government steamer Zaidee lies sunk in the harbor, the Reid Newfoundland Company's steamer Invermore which had eighty passengers aboard, has a gaping hole in her bow and the steam trawler is much damaged.

The Invermore, which was bound from North Sydney to Port au Basque, N. F., crashed into the Beluga, striking the trawler fairly on the port bow, cutting her from the guard rail to below the waterline, while ten feet of the Invermore's stem and her bow-plates were torn off or twisted out of shape, leaving a huge opening in the bow.

As the steamers parted, both headed for North Sydney, the Beluga's hold being full of water. Her captain sought to beach her and in swerving his boat toward the terminal wharf the Beluga crushed the Zaidee against the structure, scuttling her almost instantly.

The passengers aboard the Invermore became panicky when the first collision occurred, but soon were quieted. Aboard the Beluga, where 15 men were asleep in the fore-castle, there was a wild scramble for the companionway, which all managed to reach before the invading waters. In the collision with the Zaidee, the Beluga was not further seriously damaged.

Nova Scotia Fish Notes.

The Canadian Fish Bureau of Wednesday do not report any mackerel being taken along the Nova Scotia coast. But other branches of the fisheries, such as herring, cod, lobsters, salmon, haddock and alewives being taken in liberal quantities all along the coast from Bay of Fundy to Gaspee, P. Q. The boat fishermen on the south side of Nova Scotia are making fine catches of cod and herring at most of the principal points.

Lobsters are also being taken in large numbers and the various canneries are putting up a good supply, while goodly quantities are being shipped alive to the American market. Not only are they coming to Boston by steamers from Yarmouth and Halifax, but fast freight trains carrying liberal shipments direct to western countries of Nova Scotia are two weeks shorter than heretofore, so that the time for taking lobsters in that section of the maritime provinces closes the last of May.

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THE SALT FISH TRADE.**Active Demand With Light Receipts Makes Prices Firm.**

The salt fish market at the present time is quite active and the big operators are sending out heavier consignments than usually seen at this season. Indeed, they say, that it passes all expectations, and while the supply of cod is ample for present needs, and sufficient to meet all requirements until new stock arrive, which will be when the bank fleet return from their spring trips in June, a great scarcity of other ground fish, including haddock, cusk, hake and pollock, is now in evidence and prices are firm both from store and from the vessel.

This condition is liable to remain for some time as the larger vessels of the winter haddock fleet are out on eastern trips fishing in the Gulf of St. Lawrence and eastern Cape Breton, and where the catches of those crafts are usually all of the cod variety and used for curing. The vessels that operate on nearer home grounds are only landing just enough to supply the market for immediate consumption. Prices, however, for the fresh variety are very firm, so there is no surplus stock left over to come forward for curing as have been in years gone by.

Last season the codfish receipts were the largest in many years and the stock of an excellent quality, so that the demand during the fall and winter was active for this choice product, that has about used up the old supply.

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TWO FISH FARES FROM BOSTON**Are the Only Receipts at This Port Today.**

The receipts of fish today at this port are confined to 60,000 pounds of fresh fish brought from Boston in schs. Harriet and Elva L. Spurling. The strong northwest wind yesterday prevented the pollock seiners from going out, but they sailed early this morning for the fishing ground.

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The arrivals and receipts in detail are:

Today's Arrivals and Receipts.

Sch. Elva L. Spurling, shore, 40,000 lbs. fresh fish.

Sch. Diana, south, seining.

Sch. George Parker, south, seining.

Sch. Monarch, south, seining.

Sch. Judique, south, seining.

Sch. Aloha, south, seining.

Sch. Thomas Brundage, shore.

Sch. Harriet, via Boston, 15,000 lbs. fresh fish.

Sch. Benjamin A. Smith, seining.

Vessels Sailed.

Sch. Arabia, Cape Shore seining.

Sch. Effie M. Prior, Cape Shore seining.

Sch. Lucania, Cape Shore seining.

Sch. Slade Gorton, Cape Shore seining.

Sch. Speculator, Cape Shore seining.

Sch. Hope, Banks.

Sch. Mary E Cooney, shore fishing.

Sch. Gladys and Nellie, shore fishing.

Sch. Patrician, Cape Shore, seining.

Sch. Ralph L. Hall, Cape Shore, seining.

Sch. Edward F. Black, Portland.

Today's Fish Market.

Large fresh mackerel 32 cts. each. Bank halibut, 6½c per lb., for white and 3½c for gray.

Large halibut cod, \$3 per cwt.; medium cod, \$2.75; snappers, \$1.50.

Trawl salt Georges cod, large, \$3.50; mediums, \$3.

Large salt handline Georges cod, \$3.50; mediums, \$3.00.

Trawl bank cod, large, \$3 per cwt.; medium, \$2.75; snappers, \$1.50.

Outside sales drift Georges salt cod, \$3.50 per cwt. for large and \$3 for mediums.

Salt cusk, large, \$2.50 per cwt.; medium, \$2; snappers, \$1.

Salt pollock, \$1.25 per cwt.; salt haddock, \$1.25; salt hake, \$1.25.

Round pollock, 70 cts. per cwt. dressed pollock, 75 cts.

Splitting prices for fresh fish, Western cod, large \$2 per cwt.; medium do., \$1.65; Eastern cod, large, \$1.60; medium cod, \$1.40; cusk, \$1.60 for large, \$1.20 for medium and 50c. for snappers; haddock, 80 cts.; hake, 90 cts.; pollock, round 65 cts.; dressed, 70 cts.

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CAUSE OF LOBSTER SCARCITY.**Correspondent Advocates Close Season During Spawning.**

To the Editor of the Times:—I noticed in your paper recently that the senate has passed a resolve to investigate the cause of scarcity of lobsters. The cause is apparent to every man who has given the subject his attention. The young and spawn lobsters being caught up by the fishermen all the year round, having no close season, become scarcer each year, and finally will be extinct, unless a close season law is passed by the legislature prohibiting fishermen from catching lobsters, during certain months.

Nova Scotia and New Brunswick have each passed close season laws. Before those laws were enforced, the fishermen had almost exterminated the lobster, but now they are very plentiful again; and many of the lobster factories that were closed on account of the product being scarce, have opened up, and are running full time. I have seen lobsters on sandy bottom at the port of Shippigan, N. B., as plentiful as sand eels, and after lobster factories had been establish-

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ed there 20 years, lobsters became so scarce the factories were forced to shut down, not having any product to use. Give lobsters a chance to propagate, and do not conflict with nature's laws.

WM. H. COLLINS.

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THREE NETTERS AT NEW YORK.**Seven Others Landed Their Fish at New Bedford.**

On account of the large number of netters which arrived at New York and other ports yesterday, few arrivals were expected today. Three arrivals, however, are reported at New York and seven at New Bedford.

No word has come from Nova Scotia for the last 24 hours, indicating mackerel being taken in that section.

Some of the vessels which sailed the first of the week are now off that coast and may be heard from in a few days as having made hauls of those elusive fish.

Receipts of fresh mackerel at Boston yesterday consisted of 160 barrels, which was received from New York, Newport and New Bedford, in addition to a consignment from Nova Scotia. Yesterday was the first mackerel received from New Bedford, which were shipped by the netters, who are now operating off that place.

Netters at New Bedford.

The following netters landed mackerel at New Bedford, yesterday.

Sch. Florence, 5 barrels large fresh mackerel.

Sch. Jessie D., 7 barrels large fresh mackerel.

Sch. Active, 7 barrels large fresh mackerel.

Sch. Muriel, 7 barrels large fresh mackerel.

Sch. Climax, 2 barrels large fresh mackerel.

Sch. Bessie, 8 barrels large fresh mackerel.

Sch. Crescent, 2 barrels large fresh mackerel.

Netters at New York.

Sch. Eleanor Hill, 700 fresh mackerel.

Sch. Blanche Irving, 3200 fresh mackerel.

Sch. Juliette, 2700 fresh mackerel.

First Mackerel Taken at Nova Scotia.

The first mackerel caught on the Nova Scotia shores this season were seven in the Iron Mine Trap at Sandford on Saturday night.

On Monday night Iron Trap had 94 and the Cranberry Head Trap had 26.

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New Fish Concern.

Four Eastern concerns and a Montreal house, with a Toronto branch, are in the new Canadian merger recently incorporated as the Maritime Fish Corporation, Ltd., with an authorized capital of \$1,000,000. They are: The Whitman Fish Company, Canso; the Canso Cold Storage Company, Short & Ellis, Digby; Howard Anderson, Digby; A. H. Brittain & Co., Montreal and Toronto.

The authorized issue of bonds is \$250,000 7 per cent preferred stock, \$500,000 common stock, \$500,000. Actually issued: Bonds, \$125,000; 7 per cent preferred stock, \$100,000 common stock, \$300,000.

The head office will be in Montreal, with branches at Canso, Halifax, Digby and Toronto. The concern will retain the services of the majority of those identified with the firms entering into the merger. The directors are: Lieutenant Colonel C. A. Smart, of the Smart Bag Company; James W. Pyke of the Phoenix Bridge & Iron Works; C. E. Archibald of the Terminal Warehouse & Cartage Co.; A. H. Brittain, C. W. Marlean, H. B. Short, E. C. Whitman, L. E. Geoffrion of L. Chaput; Fils & Cie., and W. B. Converse of National Securities, Limited.

From waste material glue, fish oils and a fertilizer will be secured through the installation of a factory and a refining plant to be operated for the purpose of economizing and earning along these lines.

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STARTED FOR THE HAGUE TODAY

Arthur L. Millett Accompanies United States Commissioners.

Arthur L. Millett of the Times, who has been appointed by the state department as "fishery expert," to the United States commissioners, departed this morning on the steamer Lapland from New York, with the United States delegation which will represent this country's interest in the fishery controversy, which is to come before The Hague tribunal for arbitration.

Mr. Millett is a native of this city, being the son of the late Arthur C. Millett, a gallant soldier, who lost an arm in the civil war, and was one of the leading residents of the city in his day, and most highly esteemed by those who knew him. Mr. Millett's mother lives in Allston at the present time.

After a brief period in the High school, followed by a course at the Chauncey hall school, Boston, Mr. Millett entered the office of City Engineer Overbeck and for a short time turned his talents to civil engineering, but this work did not appeal to him, and later he accepted a position on the staff of the Cape Ann Breeze, then became connected with the Gloucester Daily Times, about 20 years ago, the greater part of the time as a marine reporter.

About 10 years ago, he was appointed local statistician of the United States Fish Bureau at this port, to succeed the late Capt. Stephen J. Martin.

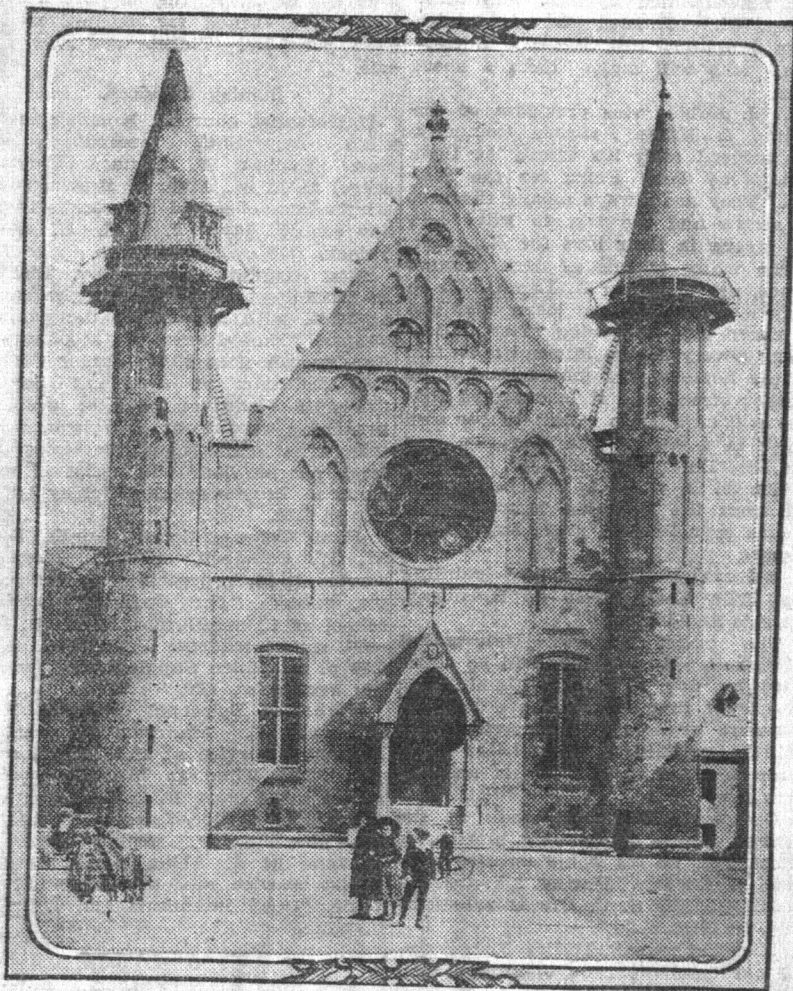
For the past few years he has been acting in a similar capacity for the Board of Trade, to report the daily arrivals and departures of the fishing vessels, and to prepare monthly and yearly statements of the catches at this port.

His wide acquaintance with fishermen and his knowledge of the fisheries eminently fit him for his new position. He will probably be gone about three months.

He is the only Gloucester man appointed to the American contingent connected with the case.

He is a member of Gloucester Lodge of Elks, the Cape Ann Camera Club, the Commonwealth Club and the Cape Ann Club.

ONE OF THE MOST IMPORTANT LEGAL BATTLES OF THE WORLD.



The Ridderzaal, or Knights' Hall, at The Hague.
The Scene of the Conference on the Fisheries Question.

United States and Great Britain Com- mence Discussion of Their Fish- eries Differences Next Month With Able Counsel on Each Side.

QUESTION IN DISPUTE IS RIGHT OF AMERI-
CAN VESSELS IN CANADIAN WATERS.

Regulations of Sir Robert Bond Have Brought About
a Great Deal of Friction in Recent Years—Some
of the Important Points to Be Debated—Capt.
Sylvanus Smith Writes Something of the History
of the Question.

One of the most important legal battles the world has ever witnessed will be begun at The Hague early next month. The United States and Great Britain will be the contestants. The issues involved, as is well known here, are due chiefly to differences which have arisen between the two governments as to the true intent and meaning of the provisions of Article 1 of the Treaty of 1818. These issues are fully covered by the questions which are submitted, in the special agreement, for the decision of the Tribunal.

One question in dispute is regarding the right of United States vessels to take and cure fish in certain waters and on certain parts of the coast of Newfoundland and Labrador and the conditions under which these rights may be exercised, there being such rights granted this country under the treaty of 1818, but of late years the exercise of these rights have been greatly hampered by certain and numerous fishing regulations promulgated under the rule of Sir Robert Bond as premier of Newfoundland and which have been the cause of considerable friction during the past five years, necessitating a *modus vivendi* between the United States and Great Britain and its continuance from year to year in order that the Americans might carry on their winter and fall herring fishery on the treaty coast, this *modus vivendi* being secured from England direct, through the British foreign office, over the head of Premier Bond and despite his protests. In brief, the important matter for settlement is whether a colony has a right to make and enforce local regulations which conflict with or restrict rights granted a country by treaty with the "mother" country of the colony.

Another point which will come before the court of settlement will be the construction which Great Britain puts upon the three mile limit as applied to bays where the mouth is more than six miles wide, it being the claim of the United States that the imaginary line should be drawn from headland to headland instead of following the indentations of the shore, so that a vessel may be fish-

ing out of sight of any land and still be within the prohibitive territory. In past years several seizures of American vessels were made under these conditions, and the matter has never been adjusted satisfactorily to both countries.

If this point is settled on the claim of the United States that the line should follow the coast line and that a vessel must be actually within a three-mile distance from the nearest land, it will open to the American fishermen many of the larger bays of Nova Scotia and Newfoundland, among them Bay Chaleur, Chedabucto bay and Northumberland straits, besides the Hecate straits and other prolific good halibut and cod fishing grounds on the Pacific coast.

The Leaders in the Tribunal.

The fisheries controversy is the first case to be referred to the permanent court at The Hague for arbitration under the general arbitration treaty between the United States and Great Britain. The court will consist of the following members of the permanent court at The Hague:—Dr. Heinrich Lammasch, of Austria, umpire, who will act as president of the tribunal; his Excellency Louis M. Drago, of the Argentine Republic; Jonheer A. F. DeSavornin Lohman, of the Netherlands; Hon. George Grav. of Delaware, judge of the United States circuit court, and Sir Charles Fitzpatrick, Chief Justice of the Supreme Court of the Dominion of Canada.

The case of the United States is in the hands of Chandler P. Anderson, Esq., of New York, who is termed the agent of the United States. Associated with him are Senator Root of New York, who will argue the case in the main, Senator Turner of Washington, Solicitor-General James Brown Scott of the state department, Samuel J. Elder, Esq., of Boston, Charles B. Warren, Esq., of Delaware and Robert Lansing, Esq.

Based upon the claim of the Gloucester fishermen of their right under the treaty of 1818 to take fish and bait within the territorial waters of Newfoundland, the case is really of much greater international importance than at first appears. What really is involved is the right of a British colony to curtail the rights

conferred upon aliens by treaty. It might easily follow that if The Hague tribunal should sustain the right of Newfoundland to restrict rights conferred by treaty upon Americans, then the various American states and foreign possessions might do likewise, involving the parent government in serious complications with the Powers with which it has treaty relations.

The Much Discussed Section 1 of the Treaty of 1818,

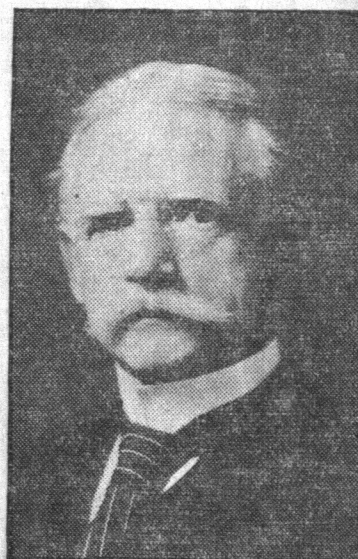
over which the meaning or interpretation of which has come all the friction between the American fishermen and Newfoundland and which



SENATOR ELIHU ROOT,
One of the Counsel for the United States.

will figure very largely in the coming North American Fisheries Arbitration at The Hague, reads as follows:

"Whereas differences have arisen respecting the liberty claimed by the United States, for the inhabitants thereof, to take, dry and cure, fish on certain coasts, bays, harbors, and creeks, of his Britannic Majesty's dominions in America, it is agreed between the high contracting parties, that the inhabitants of the said United States shall have, forever, in common with the subjects of his Britannic Majesty, the liberty to take fish of every kind on that part of the southern coast of Newfoundland, which extends from Cape Ray to the Rameo islands, on the western and northern coast of Newfoundland, from the said Cape Ray to the Quirpon islands, on the shores of Magdalene islands, and also on the coast, bays, harbors, and creeks, from Mount Joly, on the southern coast of Labrador, to and through the Straits of Belle Isle, and thence northwardly indefinitely along the coast, without prejudice, however, to any of the exclusive rights of the Hudson Bay Company; and that American fishermen shall also have liberty, forever, to dry and cure fish in any of the unsettled bays, harbors, and creeks, of the southern part of the coast of Newfoundland, hereabove described, and of the coast of Labrador; but so soon as the same, or any portion thereof, shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such portion so settled, without previous agreement for such purpose, with the inhabitants, proprietors, or possessors, of the ground. And the United States hereby renounce, forever, any liberty heretofore enjoyed or claimed by the inhabitants thereof, to take, dry or cure fish, on or within three marine miles of any of the coasts, bays, creeks, or harbors, of his Britannic Majesty's dominions in America, not



HON. SAMUEL J. ELDER,
One of the Counsel for the United States.

Included within the above mentioned limits; provided, however, that the American fishermen shall be admitted to enter such bays or harbors, for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatever. But they shall be under such restrictions as may be necessary to prevent their taking, drying, or curing, fish therein, or in any other manner whatever abusing the privileges hereby reserved to them."

As the case, and its outcome is of more importance to the city of Gloucester, its citizens and business men generally than any other one place, a statement regarding the matter as it will come before The Hague and how it came about that the matter was thus referred should surely be of interest to all.

In the general arbitration treaty entered into between the United States and Great Britain, April 4, 1908, it was agreed that differences which might arise of a legal nature or relating to treaties between the two countries and which it may not have been pos-

sible to settle by diplomacy, shall be referred to the permanent court of arbitration at The Hague, which latter was established by the now famous convention of July 29, 1899. This agreement was provided that the differences to be settled do not affect the vital interests, the independence or the honor of the two contracting parties, or do not concern the interests of third parties. Before appealing to The Hague permanent court of arbitration, the contracting parties (the United States and Great Britain) must first conclude a special agreement, defining the matter in dispute and the scope of the powers of the arbitrators.

This special agreement, for this case, was entered into between the United States and Great Britain, January 29, 1909.

The Principal Provisions of This Special Agreement,

as far as they relate to the matter in dispute and the scope of the powers of the arbitrators, are as follows:

It is agreed that the following questions shall be submitted for decision to a tribunal of arbitration constituted as hereinafter provided:

Question 1. To what extent are the following contentions or either of them justified?

It is contended on the part of Great Britain that the exercise of the liberty to take fish referred to in the said article, which the inhabitants of the United States have forever in common with the subjects of his Britannic Majesty, is subject, without the consent of the United States, to reasonable regulation by Great Britain, Canada or Newfoundland in the form of municipal laws, ordinances, or rules, as, for example, the regulations in respect of (1) the hours, days, or seasons when fish may be taken on the treaty coasts; (2) the method, means, and implements used in the taking of fish or in the carrying on of fishing operations on such coasts; (3) any other matters of a similar character relating to fishing; such regulations being reasonable, as being, for instance:

(a) Appropriate or necessary for



HON. GEORGE TURNER,
Former Senator from Washington, One
of the United States Counsel.

the protection and preservation of such fisheries and the exercise of the rights of British subjects therein and of the liberty which by the said article 1 the inhabitants of the United States have therein in common with British subjects;

(b) Desirable on grounds of public order and morals;

(c) Equitable and fair between local fishermen and the inhabitants of the United States exercising the said treaty liberty and not so framed as to give unfairly an advantage to the former over the latter class.

It Is Contended on the Part of the United States

that the exercise of such liberty is not subject to limitations or restraints by Great Britain, Canada, or Newfoundland in the form of municipal laws, ordinances, or regulations in respect of (1) the hours, days, or seasons when the inhabitants of the United States may take fish on the treaty coasts, or (2) the method, means, or implements used by them in taking fish or in carrying on fishing operations on such coasts, or (3) any other limitations or restraints of similar character;

(a) Unless they are appropriate and necessary for the protection and preservation of the common rights in such fisheries and the exercise thereof; and

(b) Unless they are reasonable in themselves and fair as between local fishermen and fishermen coming from the United States, and not so framed as to give an advantage to the former over the latter class; and

(c) Unless their appropriateness, necessity, reasonableness, and fairness be determined by the United States and Great Britain by common accord and the United States concurs in their enforcement.

Question 2. Have the inhabitants of the United States, while exercising the liberties referred to in said article, a right to employ as members of the fishing crews of their vessels persons not inhabitants of the United States?

Question 3. Can the exercise by the inhabitants of the United States of the liberties referred to in the said article be subjected, without the consent of the United States, to the requirements of entry or report at custom houses or the payment of light or harbor or other dues, or to any other similar requirement or condition or exaction?

Question 4. Under the provision of the said article that the American fishermen shall be permitted to enter certain bays or harbors for shelter, repairs, wood, or water, and for no other purpose whatever, but that they shall be under such restrictions as may be necessary to prevent their taking, drying, or curing fish therein or in any other manner whatever abusing the privileges thereby reserved to them, is it permissible to impose restrictions making the exercise of such privileges conditional on the payment of light or harbor or other dues, or entering or reporting at custom houses or any similar conditions?

Question 5. From where must be measured the "three marine miles" of any of the coasts, bays, creeks, or harbors referred to in the said article.

Question 6. Have the inhabitants of the United States the liberty under the said article or otherwise, to take fish in the bays, harbors, and creeks on that part of the southern coast of Newfoundland which extends from Cape Ray to Rameo islands, or on the western and northern coasts of



C. BEECHER WARREN,
Of Detroit, One of the United States
Counsel.

Newfoundland from Cape Ray to Quirpon islands, or on the Magdalene islands?

Question 7. Are the inhabitants of the United States whose vessels resort to the treaty coast for the purpose of exercising the liberties referred to in article 1 of the treaty of 1818 entitled to have for those vessels, when duly authorized by the United States in that behalf, the commercial treaties of the treaty coasts accorded by agreement or otherwise to United States trading vessels generally?

SOME OF THE POINTS.

Capt. Sylvanus Smith Tells of the Abridgment of American Rights.

In connection with the opening of this important case the following interesting communication from Capt. Sylvanus Smith, one of the pioneers of the Newfoundland herring fishery, is very timely:

To the Editor of the Times:—As the commission is shortly to meet at The Hague to settle some disputes, i. e.—some of the questions in regard to our fishing rights in provincial waters, it may be interesting to look over the condition of things in the past and present, and it may be well, in considering this subject, to divide the question between the treaty coast, where we have fishery rights (under the Treaty of 1818) and other provincial waters, where we have no fishing rights.

In the early times the treaty of 1818 granted to us equal rights of fishing along the shore, from Rameo Islands on the western coast of Newfoundland, north, and along the Labrador coast, including the Magdalene Islands, and under that treaty we have fished on those shores, even employing men and boats to help procure cargoes, also using the shore to dry our fish and nets, and for other purposes when



ARTHUR L. MILLETT,
Of Gloucester, Fisheries Expert to the
American Counsel.

necessary. There was never a question, at that time, about our rights to so conduct our voyages and many of the fishing towns sent vessels to different sections of the treaty coast to fish in any way they chose, with seines, nets, trawls, or hooks and lines. This treaty guaranteed us equal rights with the inhabitants, but they have made local laws and we claim we should have had a voice in any arrangements which were made to this effect. These laws have wholly deprived us of our rights to fish in their waters, and, as a matter of fact, we have not, to any extent, been able to fish anywhere along the treaty coast for some years.

The Newfoundland people have extended fisheries along the eastern coast of Labrador in the summer time, and most of their work is done by what they term "trap fishing." They go there early in the season and take up all the available places, and should we wish to fish in that manner along the same shore we would not be allowed to do so by the fishermen. Our mode of work would probably be by

the trawl or set-line fishing, and as their local laws have prohibited this method, it may be seen that we have been deprived of any chance of exercising our rights, and are excluded.

There has been considerable said in regard to the local laws of Newfoundland which would prohibit their men from shipping on board of our vessels and I would say that there has never been any question about this in the past, and think this was settled by the war of 1812, one of the causes of which was, that a British man-of-war took some men from one of our vessels in time of peace. I do not think England, today, would make any claim that her subjects would have no right to be employed on foreign vessels as she, herself, employs men of all nationalities, and I think that this contention, on the part of the Newfound-

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land government, would not be sustained by anyone.

As to the non-treaty coast I would say that, under the treaty of 1855, we had pursued the herring fisheries to some extent. The first frozen herring were brought from the western coast of Newfoundland in 1856 and later, in 1857, I, with some others, went into Fortune Bay for herring. We employed the natives to fish for us at that time. This treaty was, at our request, abrogated in 1867.

Under the treaty of 1871, we undertook to fish in Fortune Bay and the inhabitants destroyed our seines, which were full of fish. This caused some annoyance, and the British government afterward paid us \$90,000 for damages, and ever since that time we have been obliged to employ natives to help us in procuring cargoes. During the past few years our fisheries for salt and frozen herring have been carried on almost entirely at the Bay of Islands, which is on the treaty coast.

Under the treaty of 1818 we had the right to enter all provincial ports in stress of weather for shelter, to take wood and water and repair damages, but for no other purposes. Why the commission, which made the treaty thought it necessary to make such restrictions, I cannot see, for all civilized countries freely accord that privilege to the commerce of all nations, in time of peace. We allow all provincial vessels to enter our ports for all purposes, and we have been restricted, in some cases, and can only repair damages on permission from Ottawa and payment of a license fee of a dollar and a half per ton.

For many years there has been a contention in regard to our rights along the coast under this treaty, and the exactions and seizures of vessels during the early 50's led to the treaty of 1855, which lasted until 1867 and was abrogated by our giving them two years notice.

In that treaty Canada gave us permission to fish in all provincial waters and land our fish for shipment to home ports. We gave them permission to import into this country, free of duty, all the products of the sea, the forest, the field and the mines, with the privilege of fishing in our waters wherever the tide ebbs and flows. After the revocation of this treaty in 1867 there was again much friction between the two countries, on account of alleged illegal seizures, etc. This trouble led Congress to give the president power to declare non-intercourse with Canada whenever he thought proper, and this, with the pending Alabama claims, caused very strong feeling against Great Britain and caused a conference to be held at Washington, which provided for commissioners to meet at Geneva to adjust these claims, and the Alabama awards, made at that time, were thought by England to be excessive.

The conference at Washington also provided for a commission to meet at Halifax to settle the fishery troubles, which were caused by some friction in the inshore fisheries, where many vessels were seized for some slight technical violations of the fishing laws. I had one seized at that time. Some were released after loss of time and large expense. Hardly any seizures were made for active fishing and some provincial papers said this was done to "harass the Yankees".

This commission was to consist of three; one to be appointed by the United States; one by Great Britain, and the third to be appointed by the king of Hungary, who appointed the Belgium minister to the United States, a Mr. Delfos. Our representative was a Mr. Kellogg, who protested against the decisions of the others.

These parties were to determine how much we should pay, if anything, for the privilege to fish in the waters, and in addition to the free admission of their products into this country. The commission, after hearing all parties, awarded Canada \$5,250,000. This large award was thought to have been made by the commissioners to offset the award on the Alabama claims.

Later the interest on the money was paid to the Canadian fishermen as a bounty for the fish they caught. Our government felt this award to be very unjust and gave notice that the treaty should be revoked at the end of 10 years.

I cannot understand why our country consented to any such arrangement, as Canada at that time, was willing to make an arrangement without any pay, and was much disappointed when the treaty of 1855 was abrogated by us, and it is very noticeable how much our government valued the treaty of 1871.

As to the actual value of fish taken in Canadian waters on the non-treaty coast, the amount would be very small, and since the treaty of 1818 all of the fish taken would be, in value, a small proportion to the five and a quarter million dollars awarded.

Since the decline of the mackerel fisheries, the inshore fishing has been of very little importance.

The headland questions, on the part of the provincial government, would exclude us from fishing in many of the large bays, and we maintain that vessel have been seized illegally under their claim. Recently I noticed an article in which the British government denied this right of seizure by the Uruguayan government, taking one of the Canadian sealing vessels on the river Platte. This headland claim is a very important question and would exclude us from fishing in the Bay of Fundy, even when we were many miles from land and we might be shut out from the Bay of St. Lawrence.

A LITTLE BIT OF HISTORY.

Samuel J. Elder, Leading Counsel, Knows the Fisherman's Danger.

Samuel J. Elder, Esq., of Boston, one of the brilliant galaxy of attorneys who will represent the United States before The Hague tribunal, has been credited with being a Gloucester fisherman in his youthful days, but those who would weave romance, sentiment or tradition around such a circumstance, are doomed to be disappointed in their fondest dreams.

Mr. Elder never sailed from Gloucester, but that he had some experience on fishing vessels is well known. When a young man in his teens, he made a few trips to the Bay of St. Lawrence for mackerel, in vessels from Wellfleet, his native place, where his folks were interested in the fisheries. He enjoyed these trips for the recreation which they afforded. In 1869, he was on the sch. William H. or "Billie" Atwood as she was called, from Wellfleet, when that vessel encountered the terrific gale which swept Georges March 6, 1869. The events of that day, with their attendant nerve racking periods of uncertainty will never be effaced from his memory.

A clear sky was succeeded by an inky blackness, a scurrying of clouds, a sighing and screeching of wind until it swept along with hurricane violence. The vessel was kept at her anchors, both of which had been thrown out to keep her from the dreaded shoal, when all too quickly the more fearful prospect of being run down and sunk at her moorings, by some of the vessels which were swept along by the fury of the gale, loomed up, ever present, appalling and terrifying. The Atwood tugged at her mudhooks with ease, all tugging failing to dislodge them. Well, along in the day, the hope held out but this was quickly abandoned.

Two vessels looming up spectrally and awful coming down with awful speed, were noticed on either side of the vessel. The anchor hope had to be given up. The cables were cut, and the vessel freed like a hound from the leash, bounded away, free from one peril, but no knowing when she would leap into another just as appalling. After hours of terrific anxiety, hours, every moment of which were fraught with danger, the sch. "Billie" Atwood, emerged from the gale, a wreck of her former self. Both masts were gone, sails were torn to tatters, shrouds hung at loose ends, a veritable wreck upon a stormy sea. But strong hands and willing hearts, grateful for their deliverance, were on the craft, and as soon as the storm had abated sufficiently, a jury rig was fixed up on the vessel and she flung back to her home port.

Gloucester furnished its quota of vessels and men in that terrific storm, and it is rather a peculiar coincidence that one of the men who is to guard her interests at The Hague, should have passed through that fearful ordeal. That ended Mr. Elder's career as a fisherman. The sch. William H. Atwood was lost some time afterwards. It was also a rather peculiar cycle in the course of events, that when Mr. Elder went to practice law in Boston, his first boarding mistress was Mrs. Atwood, wife of the part owner and man for whom the vessel was named, in which he passed such thrilling hours.

Fisheries Inspector O'Reilly Summoned from Newfoundland.

In addition to the array of counsel and experts which will uphold Newfoundland's contentions in connection with the fisheries treaties to be arbitrated at The Hague shortly, another was summoned from St. John's on Thursday by Premier Morris, who is in London, in the person of Fisheries Inspector O'Reilly, a leading colonial fisheries expert. Premier Morris in his cablegram states that Inspector O'Reilly is wanted for purposes of conference with the British counsel.

Inspector O'Reilly is well known here among the skippers and fishermen, as having commanded the fishery cruiser Fiona several years, and witnessed the *modus operandi* at Bay of Islands and other American fishing resorts. Beside he held a magistrate court on the cruiser, where many intricate cases among fishermen were settled.

The fishermen here speak in complimentary terms of Mr. O'Reilly, whom they say treated them with utmost respect. He is certainly well equipped to coach the counsel for the British side of the case.

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BOSTON FISH RECEIPTS LIGHT.

Bulk of Fleet Not Expected Before Monday.

Receipts of fish at Boston today are confined to three small fares from shore grounds and prices are well sustained for last of the week. As the fleet have been out some days, they are not expected to arrive at that port before Monday.

The receipts and prices in detail are:
Boston Arrivals.

Sch. Rose Standish, 16,000 haddock, 16,000 cod, 9000 hake.

Sch. Ethel B. Penney, 18,000 cod.

Sch. Mary P. Santos, 17,000 haddock, 2000 cod, 500 pollock.

Haddock, \$1.50 to \$2 per cwt.; large cod, \$2.50 to \$3.60; market cod, \$1.50 to \$2; hake, \$1 to \$1.50; pollock, \$1.25.

First Arrival of the Drift Fishermen.

Sch. Winnifred, Capt. Murray Larkin, which arrived a few days ago, was the first of the drift fishermen to make an appearance here this season with a fare of 36,000 pounds of salt cod, which was sold to Davis Bros. for \$3.30 per cwt. for large and \$3.15 for small.

Capt. Larkin reports finding fish scarce, and says the school of fish have not yet made their appearance on the Nantucket and South Channel grounds. He went as far east as Georges and Brown's Bank, and the same result was found.

The bait used was cockles, which were procured at Plymouth, which is the bait used by the vessels engaged in this fishing. At the foot of Nantucket shoals, he saw large schools of pollock, but there were no seiners there. The past few years the vessels which engage in this fish, have done remarkably well, and constitute one of the best assets of the fishery product, so that the number of craft engaged in this mode of fishing is quite large at the present time

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New Fish Corporations.

The Robinson Glue Company, Ltd., with a capital of \$75,000, has been incorporated in Canada, with its principal place of business in Montreal. The incorporators are Joseph G. de Lorimer, Eugene H. Godin, George W. Dow, William B. Converse, Alfred H. Brittain and Albert E. de Lorimer, all of Montreal. The company will carry on a general glue business, including among other things, manufacturing, buying, selling, importing, exporting, trading in fish glues, fertilizers, fish scrap, fish meal, for poultry feed or any other purposes, oils, emulsions of fish gelatines, isinglass, sounds, bladders, or any other products in crude or manufactured state, that may be obtained from fish.

Thomas Woodward & Son, Sea Cliff, N. Y., to sell, export, prepare, cure fish seafoods, wholesale and retail fish business, etc., has been incorporated with a capital of \$100,000. Incorporators, Thos. Woodward, Tuckahoe, N. Y., Frank M. Woodward, Central Valley, N. Y., and George C. Carnegie, 1740 Forty-fourth street, Brooklyn, N. Y.

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Cold Storage Plant at Lockeport, N. S.

The Maritime Cold Storage Co. proposes to immediately commence the construction at Lockeport, N. S., of a building of five stories to be equipped with a complete cold storage plant and likewise of a building to be used as a glue factory with proposed output of 50,000 gallons of glue yearly. The whole plant will cost about \$85,000, 30 per cent. of which will be paid by the Dominion government under the plan to aid cold storage concerns which was devised some years ago. In return the town will only require the company to pay \$100 annually in rates for the next 10 years and undertakes to provide a free water supply, the amount of water required for the company's purpose being about 15,000 gallons daily. W. G. Yorston, C. E., who recently made an expert report on Yarmouth's water system, has assured the people of Lockeport that by damming Eisenhaur's Brook on the mainland and

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running a 4-inch pipe line to the company's proposed site a supply of water four times as great as that required by the company can be obtained. Mr. Yorston further assures the town that the work can be done for \$3000.

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ONLY ONE FARE FROM GEORGES

Constitutes With Pollock Trips Today's Fish Receipts.

The receipts of fish at this port today are of a limited order and mostly confined to fresh pollock, small catches of which were made by the vessels operating off here. Most of the fleet which went out yesterday did not take any fish and returned to the fishing ground this morning

One fare of 23,000 pounds of salt cod and 2000 pounds of halibut arrived from Georges since last report which constitute the entire receipts.

The arrivals and receipts in detail are:

Today's Arrivals and Receipts.

Steamer Angelia B. Nickerson, shore, 5000 lbs. pollock.

Steamer Norwood, shore, 3000 lbs. pollock.

Steamer Pet, shore, 32,000 lbs. pollock.

Sch. Mineola, shore, 12,000 lbs. pollock.

Sch. Mary Emerson, shore, 10,000 lbs. pollock.

Sch. Marsala, Georges, 23,000 lbs. salt cod, 2000 lbs. halibut.

Sch. Manomet, via Boston.

Steamer Bryda F., shore, 7000 lbs. pollock.

Sch. Margie Smith, shore, 60,000 lbs. pollock.

Sch. Herbert and Emma, shore, 8000 lbs. pollock.

Sch. J. S. Glover, Maine port, 1800 qtls. cured fish.

Sch. Merchant, shore, 6000 lbs. pollock.

Sch. Bessie, shore, 2000 lbs. pollock.

Sch. Independence, shore, 3000 lbs. pollock.

Sch. Mattie D. Brundage, shore, 80,000 lbs. pollock.

Vessels Sailed.

Sch. Benj. A. Smith, Cape shore.

Sch. Arthur James, Cape shore

Sch. Pinta, Cape shore

Sch. Monarch, Cape shore.

Sch. Judique, Cape shore.

Sch. Rhodora, Cape shore

Sch. Oriole, Cape shore.

Sch. Stiletto, Cape shore.

Sch. Aloha, Cape shore.

Sch. Elmer E. Gray, Cape shore.

Sch. Margaret Haskins, Cape shore.

Sch. Rex, Cape shore.

Sch. Mary Edith, haddocking.

Today's Fish Market.

Large fresh mackerel 32 cts. each. Bank halibut, 6½c per lb., for white and 3½c for gray.

Large halibut cod, \$3 per cwt.; medium cod, \$2.75; snappers, \$1.50.

Trawl salt Georges cod, large, \$3.50; mediums, \$3.

Large salt headline Georges cod, \$3.50; mediums, \$3.00.

Trawl bank cod, large, \$3 per cwt.; medium, \$2.75; snappers, \$1.50.

Outside sales drift Georges salt cod, \$3.50 per cwt. for large and \$3 for mediums.

Salt cusk, large, \$2.50 per cwt.; medium, \$2; snappers, \$1.

Salt pollock, \$1.25 per cwt.; salt haddock, \$1.25; salt hake, \$1.25.

Round pollock, 70 cts. per cwt., dressed pollock, 75 cts.

Splitting prices for fresh fish, Western cod, large \$2 per cwt.; medium do., \$1.65; Eastern cod, large, \$1.60; medium cod, \$1.40; cusk, \$1.60 for large, \$1.20 for medium and 50c. for snappers; haddock 80 cts.; hake, 90 cts.; pollock, round 65 cts.; dressed, 70 cts.

Fishing Fleet Movements

Schs. Tattler and Priscilla Smith arrived at Canso N. S., Wednesday last and cleared for the fishing grounds.

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Will Fit for Swordfishing.

Sch. Annie and Jennie will now fit for swordfishing.

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FOUR NETTERS AT NEW YORK.

Fares Range From 750 to 2500 Mackerel Each.

The large number of mackerel netters which arrived at New York, New Bedford and Newport early in the week gave rise to the belief that but few mackerel would be received later in the week, and this coupled with the unfavorable weather caused no surprise at the falling of the receipts.

No reports have been received from the seiners which remain to the southward, and the Cape Shore fleet have as yet not had sufficient time to take fish if the advance of the mackerel has reached that locality.

Three arrivals are reported at New York this forenoon, with fares ranging from 750 to 2500 mackerel, while two crafts are there with no fish, as follows:

Sch. Massachusetts, one of the seining fleet, arrived at Halifax Thursday. This is the first of the Cape Shore fleet to be reported at a Provincial port this season.

Netters at New York.

Sch. Mabelle E. Leavitt, 2500 fresh mackerel.

Sch. Mildred, 750 fresh mackerel.

Sch. Vesta, 1600 fresh mackerel.

Sch. Gracie E. Freeman, 1500 fresh mackerel.

Sch. Louise, no fish.

Sch. Molly, no fish.

Mackerel Taken at Yarmouth, N. S., Wednesday.

Three traps at Yarmouth, N. S., report taking 40 barrels of large mackerel on Wednesday last, but nowhere else along the Nova Scotia coast have any mackerel been reported taken this season.

This is the second take reported at Yarmouth, the first being on Saturday last.

The Canadian Fish Bureau report a few mackerel being taken at Pubnico Thursday.

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SCH. MOSES B. LINSKOTT SOLD.

Portland Craft Will Sail From This Port for Havana Today.

Sch. Moses B. Linscott, 41 tons gross, 39 tons net, built at Bath in 1880, and owned in Portland, which has been a familiar visitor at this port for many years and recently discharged a cargo of potatoes for local parties, has been sold to Havana, Cuba. The schooner is now at this port and will sail today for her new home, in command of Capt. William Thompson of this city, who carries a crew of four men.

Receipts at Boston from Nova Scotia.

From Nova Scotia word was received today that mackerel of a large size is being taken from Yarmouth to Halifax along that coast in traps and nets. At the former place and immediate vicinity some fair hauls were made Friday and Saturday last so that the steamer Prince George, from Yarmouth at Boston yesterday brought among her cargo 251 barrels. She also had 661 crates of live lobsters 300 cases of canned lobsters, 24 boxes of fresh salmon and several boxes of halibut. No report was made of any mackerel being seen schooling, and as several seiners are now on that coast between Cape Sable and Halifax it would not be surprising to hear from them most any day as having taken fish.

The first mackerel to arrive at Halifax, N. S., was two large sized fish by Joseph Dougherty from Prospect which place is 20 miles west of Halifax.

Sailed on Maiden Voyage.

The new schooner Stiletto, built in this city by John Bishop and owned by Orlando Merchant, sailed Saturday afternoon on her maiden trip on a mackerel seining voyage to Cape Shore in command of Capt. Charles H. Hart. As she went out of the harbor with all sail set, she presented a handsome appearance and was most favorably commented on by a large number of fishermen who congregated on the wharves all of whom wished the genial skipper abundant success.